

# Environmental Permitting for Possum Pond Closure

## Assumptions

### Ponds A, B, C

- Organic material/vegetation to be removed from pond surface and disposed of offsite
- Ponds to be capped in place
- All closure activities to occur within pond footprint
- To comply with dam safety regulations the trees on and around the existing berms will be removed and the area will be grubbed and graded to facilitate drainage.
- Additional land disturbance outside of the pond area may be needed to facilitate drainage.
- The existing discharge structure will be filled with inert material and abandoned in place. There will no longer be a discharge from Pond C.

### Pond E

- Ash in Pond E will be hydraulically dredged to Pond D during the period prior to the effective date of CCR rule. This will require two dredges working 24/7.
  - Some of pond overlaps Eagle buffer zone. Dredging contractors will employ noise reduction BMPs to minimize eagle disturbance.
- During hydraulic dredging of Pond E the water level in the pond will be reduced such that no discharge from the pond is expected.
  - If a discharge does occur, it would be treated as necessary to ensure compliance with permit limits.
- Ash remaining in the Pond E will be dewatered and mechanically removed from the pond and disposed of offsite.
- All of Pond E will be clean closed.
- Some or all of Pond E will be lined and used as the station's low volume waste pond.
  - This pond will also receive wastewater from the existing metals pond and oily waste pond. No changes are expected to either the metals pond or the oily waste pond.
  - The pond may also receive storm water runoff from all or a portion of the drainage area that currently contributes to Pond E.
- The existing discharge structure associated with Pond E will be retained.
- "Clean" fill material used to close a portion of pond
- Improvements will be made to the drainage area surrounding Pond E. This could involve additional tree removal, grubbing and grading.

### Pond D

- Pond D will receive hydraulically dredged material from Pond E. The water level in Pond D will rise until it decants back to Pond E.
- Once hydraulic dredging ceases Pond D will be dewatered and capped in place.

- A portion of the existing dam may be collapsed and the remaining void filled with “clean” material. Fill material may be obtained from borrow areas located on station property.
- Some improvements may be necessary to the drainage area surrounding Pond D to facilitate runoff from the closed pond.
- Eagle buffer zones will be impacted by the project

## Permitting Needed

- Stormwater Construction Permitting (Consolidated stormwater and land disturbance permit will be required from Prince William County) for land disturbance outside of the existing pond boundaries (Stormwater Registration Statement, SWPPP including Erosion Sediment Control Plan, Storm Water Management Plan, Pollution Prevention Plan). Portions of the project are located within designated Resource Protection Areas under the Chesapeake Bay Preservation Act and must meet stricter permitting requirements (e.g., 2,500 ft threshold for permitting, 100’ stream buffers, nutrient offsets).
  - Clearing and grubbing of trees and grading of drainage areas around Ponds ABC, Pond E, and Pond D
  - Land disturbance related to any onsite borrow areas
  - Stockpiling of fill material for closure of Ponds ABC, Pond D and partial closure of Pond E
  - Any other land disturbance outside of pond boundaries.
- USACE Section 404 Permit and DEQ Virginia Water Protection Permit (401 Certification) Wetlands permits (404, 401, VMRC), and/or no permit necessary determinations (NPND) – includes evaluation of potential cultural and T&E aspects as well as Coastal Zone Consistency Certification (Joint Permit Application):
  - Permits needed for any impacts to wetlands/streams outside of ash pond boundaries resulting from:
    - Clearing and grubbing of trees and grading of drainage areas around the Ponds ABC, Pond D, and Pond E
    - Land disturbance related to any onsite borrow area
    - Any other disturbance to wetlands/streams outside of ponds.
  - Based on experience at CEC we will need to seek NPND for work within ponds. At CEC we were asked to submit pond closure plans for review by the Corps in order to make this decision.
  - No action necessary determinations or mitigation for any impacts to cultural resources or endangered species due to activities outside of the ponds (none expected at this time)
  - 404/401 permitting may be required if the project results in the creation of any new discharge structures or involves work along the shoreline or in the River on existing discharge structures.
- VPDES discharge permit modification, notification of planned changes and/or submittal of addendum to existing permit application will be required for the following:

- Alternative discharge routes for low volume wastes, metals pond and oily waste pond during periods when the wastewater can't go to Pond E during clean-close conversion process.
- Discharge of dewatering wastewater from Pond E or Pond D.
- Pond C discharge: Permit must be modified to allow the discharge of stormwater associated with industrial activity prior to disturbance of ash within Ponds A,B,C.
- Pond closure plans will need to be submitted to the DEQ. These plans will need to incorporate long-term plans for groundwater monitoring and for post closure care of Ponds D and ABC and possibly for Pond E.
- The permit will need to be modified to incorporate the final discharge configuration following all closure activities.
- Eagle Consultation/Take Permit
  - For dredging we will need to consult with FWS concerning potential disturbance
  - For Pond Closure will need an Eagle Take permit from FWS.

## **Information Needed for Permitting:**

### **Storm water Construction Permitting**

- Approved E&S Plan
- Stormwater Pollution Prevention Plan (Stormwater Management Plan, Pollution Prevention Plan) including offsets for increased impervious surface – if any.
- Preparation of Registration Statement

### **Wetlands/Streams**

- Delineation of all wetlands and streams that could possibly be impacted by project and Jurisdictional Determination from Corps.
- Preparation of Joint Permit Application.
- Information on the potential to impact T&E species and/or cultural resources.

### **VPDES Permitting**

- Expected chemical/physical characteristics of final low volume waste pond discharge following pond closures.
- Expected characteristics of ash dewatering wastewater.
- Pond closure plans
- Long-term groundwater monitoring and post closure care plans